

Senate Study Bill 1205 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON COMMERCE BILL BY
CHAIRPERSON CHAPMAN)

A BILL FOR

1 An Act relating to the definition of personal injuries arising
2 out of and in the course of the employment for the purposes
3 of compensable acts for workers' compensation.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 85.61, subsection 7, Code 2019, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. c. Personal injuries due to idiopathic or
4 unexplained falls onto a surface level do not arise out of and
5 in the course of employment and are not compensable under this
6 chapter.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with
9 the explanation's substance by the members of the general assembly.

10 This bill relates to the definition of personal injuries
11 arising out of and in the course of the employment for the
12 purposes of compensable acts for workers' compensation.

13 Current law provides that the words "personal injury arising
14 out of and in the course of the employment" shall include
15 injuries to employees whose services are being performed
16 on, in, or about the premises which are occupied, used, or
17 controlled by the employer, and also injuries to those who are
18 engaged elsewhere in places where their employer's business
19 requires their presence and subjects them to dangers incident
20 to the business. Current law also provides that personal
21 injuries sustained by a volunteer fire fighter arise in the
22 course of employment if the injuries are sustained at any time
23 from the time the volunteer fire fighter is summoned to duty
24 as a volunteer fire fighter until the time the volunteer fire
25 fighter is discharged from duty by the chief of the volunteer
26 fire department or the chief's designee. Finally, current law
27 provides that personal injuries sustained by emergency medical
28 care providers as defined in Code section 147A.1 arise in the
29 course of employment if the injuries are sustained at any time
30 from the time the emergency medical care providers are summoned
31 to duty until the time those duties have been fully discharged.

32 The bill provides that personal injuries due to idiopathic
33 or unexplained falls onto a surface level do not arise out of
34 and in the course of employment and are not compensable under
35 Code chapter 85.